

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE GOOGLE DIGITAL ADVERTISING
ANTITRUST LITIGATION

21-md-3010 (PKC)

THIS ORDER RELATES TO:

THE STATE OF TEXAS, et al.,

Plaintiffs,

21-cv-6841 (PKC)

-against-

ORDER

GOOGLE LLC,

Defendant.

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CASTEL, District Judge:

In an Order filed September 7, 2021 (the “September 7 Order”), the Court granted leave to the state plaintiffs to file a Second Amended Complaint and they did so on September 9, 2021. The September 7 Order gave defendant Google LLC (“Google”) until September 30, 2021 to file an answer with respect to Counts I through IV of the Second Amended Complaint or a pre-motion letter setting forth the basis for a proposed motion to dismiss those counts. Google filed a pre-motion letter setting forth the proposed basis for a motion to dismiss on September 30, 2021. Pursuant to the September 7 Order, the state plaintiffs have submitted a letter on October 8, 2021 requesting leave to file a Third Amended Complaint.

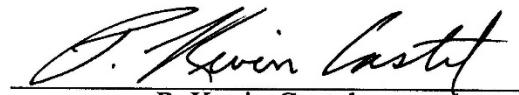
The filing of a Third Amended Complaint will permit the briefing on the motion to dismiss to proceed based on the state plaintiffs’ strongest and best pleading. It will also permit the state plaintiffs to winnow or clarify their existing claims. Leave to amend is granted.

Having heard both sides on the issue of scheduling, the Court sets the following schedule and page limits on amended pleadings and the motion to dismiss:

1. The Third Amended Complaint shall be filed by November 12, 2021.
2. Google shall answer or move by January 21, 2022. The requirement of any further pre-motion letter is excused for any motion to dismiss.
3. Pursuant to the Court's authority under Rule 16(b)(3)(A), Fed. R. Civ. P., the deadline for any further motion to amend the complaint by the state plaintiffs is February 14, 2022.
4. State plaintiffs shall respond to any motion to dismiss by March 22, 2022.
5. Google may reply by April 21, 2022.
6. Google and the state plaintiffs may each submit a 40-page brief on their opening brief on any motion to dismiss and Google may submit up to a 20-page brief on any reply.

The Clerk is directed to terminate the following letter-motion: 21 md 3010, Docket # 136; 21 cv 6841, Docket # 156.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
October 13, 2021